

RESOLUTION 2018-02

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE K-BAR RANCH COMMUNITY DEVELOPMENT DISTRICT APPROVING A GRANT OF STORMWATER EASEMENT TO THE CITY OF TAMPA; AUTHORIZING THE CHAIRPERSON OR VICE CHAIRPERSON TO EXECUTE THE EASEMENT ON BEHALF OF THE DISTRICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the K-Bar Ranch Community Development District ("District") was created pursuant to Chapter 190, Florida Statutes; and

WHEREAS, the District owns land on which a stormwater easement is needed to provide stormwater management associated with the construction of the K-Bar Ranch Parkway; and

WHEREAS, the District determined that it is in the interest of the District to approve the Grant of Easement.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE K-BAR RANCH COMMUNITY DEVELOPMENT DISTRICT:

1. The attached Grant of Easement between the District and City of Tampa (Exhibit "A") is approved.
2. The Chairperson or Vice Chairperson is authorized to execute the Grant of Easement on behalf of the District.
3. This Resolution shall become effective upon its passage.

PASSED AND ADOPTED this 16th day of May 2018.

ATTEST:

**K-BAR RANCH COMMUNITY
DEVELOPMENT DISTRICT:**


Assistant Secretary

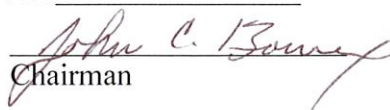
/s/: _____

Chairman

Exhibit A: Grant of Easement

Exhibit A

Prepared by:
Jorge I. Martin
Senior Assistant City Attorney
The Office of the City Attorney
City of Tampa
315 E. Kennedy Blvd.
Tampa, Florida 33602

Return to:
City of Tampa
Real Estate Division
306 E. Jackson St., 3N
Tampa, Florida 33602
Resolution No:

GRANT OF STORMWATER EASEMENT

THIS EASEMENT is made as of this ____ day of _____, 2018, by and between **K-BAR RANCH COMMUNITY DEVELOPMENT DISTRICT**, with an address of 5844 Old Pasco Road, Suite 100, Wesley Chapel, Florida 33544 (herein "Grantor"), and the City of Tampa, a municipal corporation organized and existing under the law of the State of Florida with address of 315 E. Kennedy Boulevard, Tampa, Florida 33602 (herein "Grantee").

WITNESSETH:

THAT Grantor, in consideration of the sum of ONE and no/100s Dollars (\$1.00) to it in hand paid by Grantee, as well as other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell, assign and convey to Grantee, and Grantee's successors and assigns, a perpetual non-exclusive easement for the purpose of the installation, construction, repair, operation, maintenance, and replacement of stormwater drainage facilities including, without limitation, drainage lines, pipes, ditches, related equipment and facilities, and appurtenances thereto (herein collectively referred to as the "Drainage Facilities"), together with full right of ingress, egress and access on, in, over, under, across and through the following described parcel of real estate located in the City of Tampa, Hillsborough County, Florida as more particularly described as follows (and herein referred to as the "Easement Property"), to wit:

**AS LEGALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO
AND MADE A PART HEREOF BY THIS REFERENCE.**

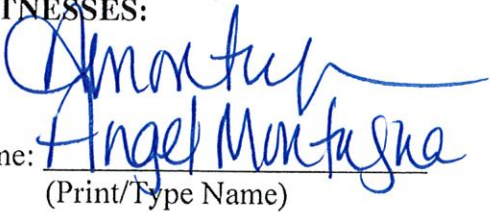
THIS GRANT OF EASEMENT is also made subject to the following terms, conditions, representations and warranties:

1. Grantor warrants and represents to Grantee that Grantor possesses marketable fee simple title to the Easement Property; and that this Easement does not violate, breach or create a default on the part of Grantor under any matter affecting title to the Easement Property.
2. Grantor represents and warrants to Grantee that this Easement has been duly authorized by Grantor; and that the person executing this Easement on behalf of the Grantor has the full right and authority to do so on behalf of the Grantor.
3. Grantor shall not: (a) construct any buildings or structures, (b) install any pavement or impervious surface material, or (c) install any landscaping in, on, over or under the Easement Property without the prior written consent of the Director of the City of Tampa's Department of Transportation and Stormwater Services.
4. In connection with the installation, construction, maintenance, operation, repair and replacement of the Drainage Facilities by the Grantee pursuant to this Easement, Grantee shall be responsible for returning any excavated areas to finished grade and restoring any pavement (if allowed) that is disturbed to the quality of pavement that meets the minimum standard for public streets in the City of Tampa; and Grantor shall be solely responsible for the cost of removing (if necessary), repairing and/or restoring any buildings, structures or landscaping located on the Easement Property which are disturbed in connection with the exercise of Grantee's easement rights pursuant to the terms hereof.
5. Grantor agrees that the terms and conditions of this Easement shall be deemed covenants and conditions running with title to the Easement Property and shall be binding upon Grantor and its successors and assigns.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

IN WITNESS WHEREOF, the Grantor has executed this Easement as of the day and year first set forth above.

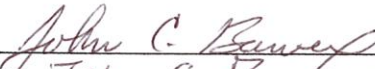
WITNESSES:


Name: Angel Montagna
(Print/Type Name)

Name: _____
(Print/Type Name)

GRANTOR:

**K-BAR RANCH COMMUNITY
DEVELOPMENT DISTRICT**
(Print or type name of Grantor)

By: 
Name: John C. Bowersox
(Print/type name)

Title: Chairman
(If Grantor is not an individual)

APPROVED AS TO FORM:

Jorge I. Martin
Senior Assistant City Attorney

ACKNOWLEDGEMENT

**STATE OF FLORIDA
COUNTY OF HILLSBOROUGH**

THE FOREGOING INSTRUMENT was acknowledged before me this ___ day of _____, 2018, by _____ as the _____, of K-Bar Ranch Community Development District on behalf of the Community Development District.

He/she either [mark one] _____ is personally known to me or _____ produced _____ [picture identification] as identification.

[AFFIX NOTARY SEAL/STAMP]

Name: _____
(Print or Type Name)
Notary Public, State of _____
My Commission Expires: _____

Description Sketch

(Not A Survey)

FLOW-THROUGH EASEMENT III

DESCRIPTION: A parcel of land lying in Section 3, Township 27 South, Range 20 East, Hillsborough County, Florida, and being more particularly described as follows:

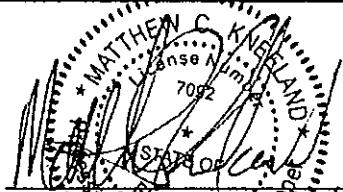

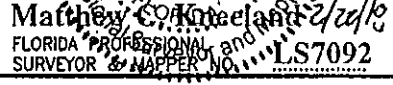
COMMENCE at the Northernmost corner of K-BAR RANCH – PARCEL K, PHASE I, according to Plat Book 129, Pages 40 through 51, of the Public Records of Hillsborough County, Florida; run thence along the Northerly boundary of said K-BAR RANCH – PARCEL K, PHASE I, Westerly, 1096.04 feet along the arc of a curve to the left having a radius of 6940.13 feet and a central angle of 09°02'55" (chord bearing S.74°31'40"W., 1094.90 feet); thence departing said Northerly boundary, N.22°26'24"W., a distance of 120.11 feet to the **POINT OF BEGINNING**; thence N.22°26'24"W., a distance of 36.90 feet; thence N.67°33'36"E., a distance of 20.00 feet; thence S.22°26'24"E., a distance of 37.76 feet; thence Westerly, 20.02 feet along the arc of a non-tangent curve to the left having a radius of 7060.15 feet and a central angle of 00°09'45" (chord bearing S.70°02'36"W., 20.02 feet) to the **POINT OF BEGINNING**.

Containing 746 Square feet, more or less.

NOTES:

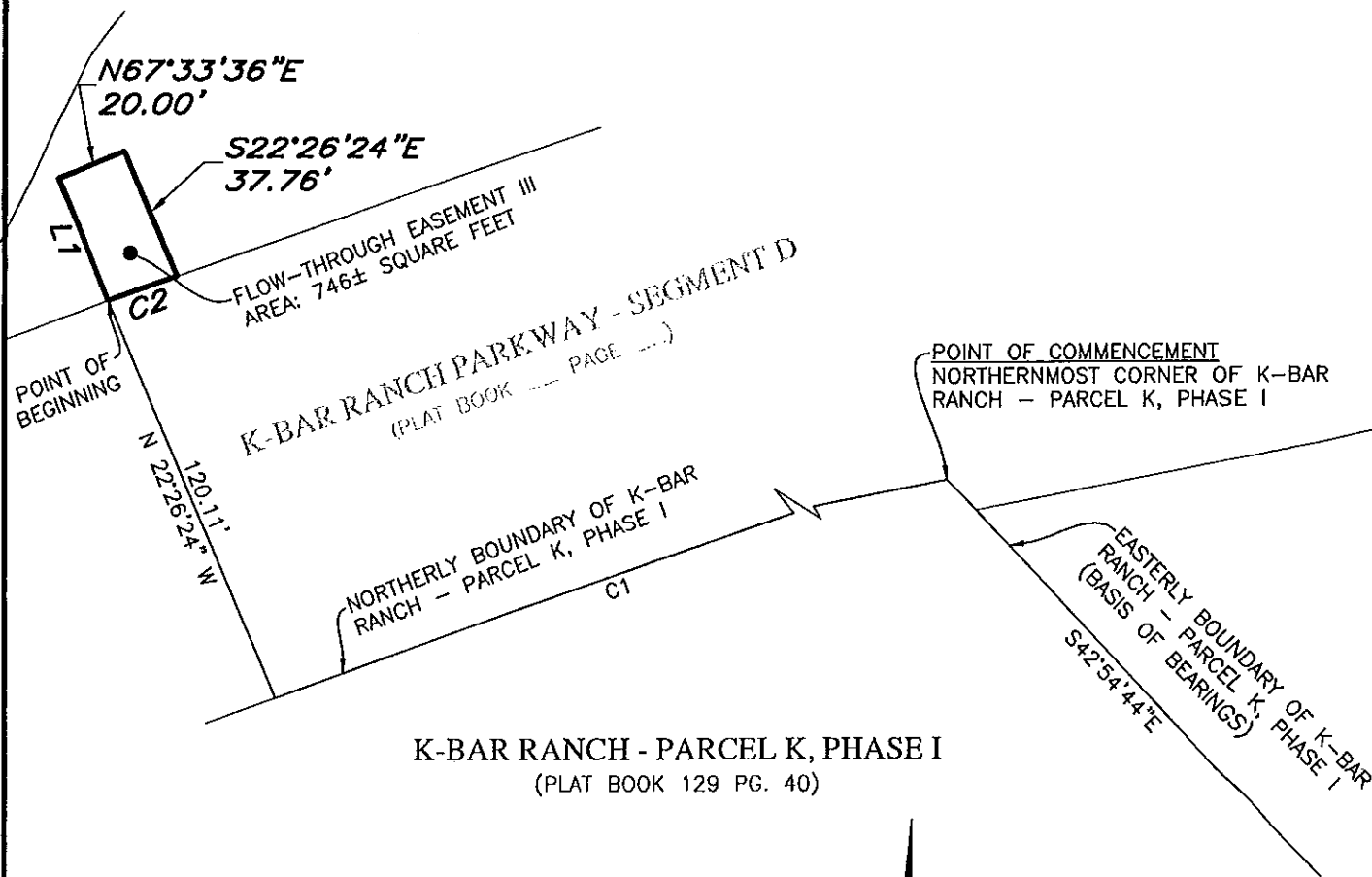
1) BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE EASTERLY BOUNDARY OF K-BAR RANCH - PARCEL K, PHASE I, HAVING A BEARING OF S.42°54'44"E, PER PLAT.

2) SEE SHEET 2 FOR SKETCH AND LINE AND CURVE TABLE.

PROJECT: K-BAR RANCH			Prepared For: M/I HOMES		
PHASE: PARCEL Q - PHASE 2					
DRAWN: JRG	DATE: 2/8/18	CHECKED BY: ASH			
REVISIONS					
DATE	DESCRIPTION	DRAWN BY			
 Matthew C. Kneeland FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. LS7092			1403 E. 5th Avenue Tampa, Florida 33605 Phone: (813) 248-8888 Licensed Business No.: LB 7768		
FILE PATH: P:\K-BAR RANCH\DESCRIPTION\PARCEL-K-FLOW-THROUGH-EASEMENT-3-DS.DWG LAST SAVED BY: JGEIER					1 of 2

Description Sketch

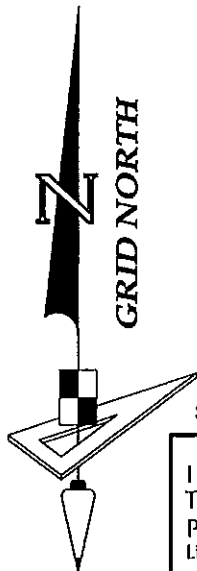
(Not A Survey)



K-BAR RANCH - PARCEL K, PHASE I
(PLAT BOOK 129 PG. 40)

CURVE DATA TABLE					
NO.	RADIUS	DELTA	ARC	CHORD	BEARING
C1	6940.13'	9°02'55"	1096.04'	1094.90'	S 74°31'40" W
C2	7060.15'	0°09'45"	20.02'	20.02'	S.70°02'36" W

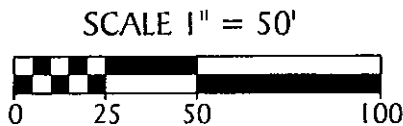
LINE DATA TABLE		
NO.	BEARING	LENGTH
L1	N 22°26'24" W	36.90'



SEE SHEET 1 FOR DESCRIPTION.

1403 E. 5th Avenue
Tampa, Florida 33605
Phone: (813) 248-8888
Licensed Business No.: LB 7768

GeoPoint
Surveying, Inc.



Description Sketch

(Not A Survey)

FLOW-THROUGH EASEMENT IV

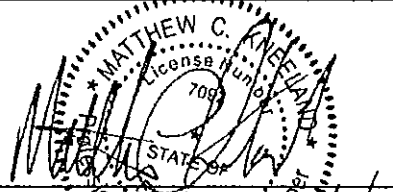

DESCRIPTION: A parcel of land lying in Section 3, Township 27 South, Range 20 East, Hillsborough County, Florida, and being more particularly described as follows:

COMMENCE at the Northernmost corner of K-BAR RANCH – PARCEL K, PHASE I, according to Plat Book 129, Pages 40 through 51, of the Public Records of Hillsborough County, Florida; run thence N.27°00'27"W., a distance of 124.79 feet to the **POINT OF BEGINNING**; thence N.13°44'24"W., a distance of 44.12 feet; thence N.76°15'36"E., a distance of 20.00 feet; thence S.13°44'24"E., a distance of 45.02 feet; thence Westerly, 20.02 feet along the arc of a non-tangent curve to the left having a radius of 7060.15 feet and a central angle of 00°09'45" (chord bearing S.78°51'12"W., 20.02 feet) to the **POINT OF BEGINNING**.

Containing 891 Square feet, more or less.

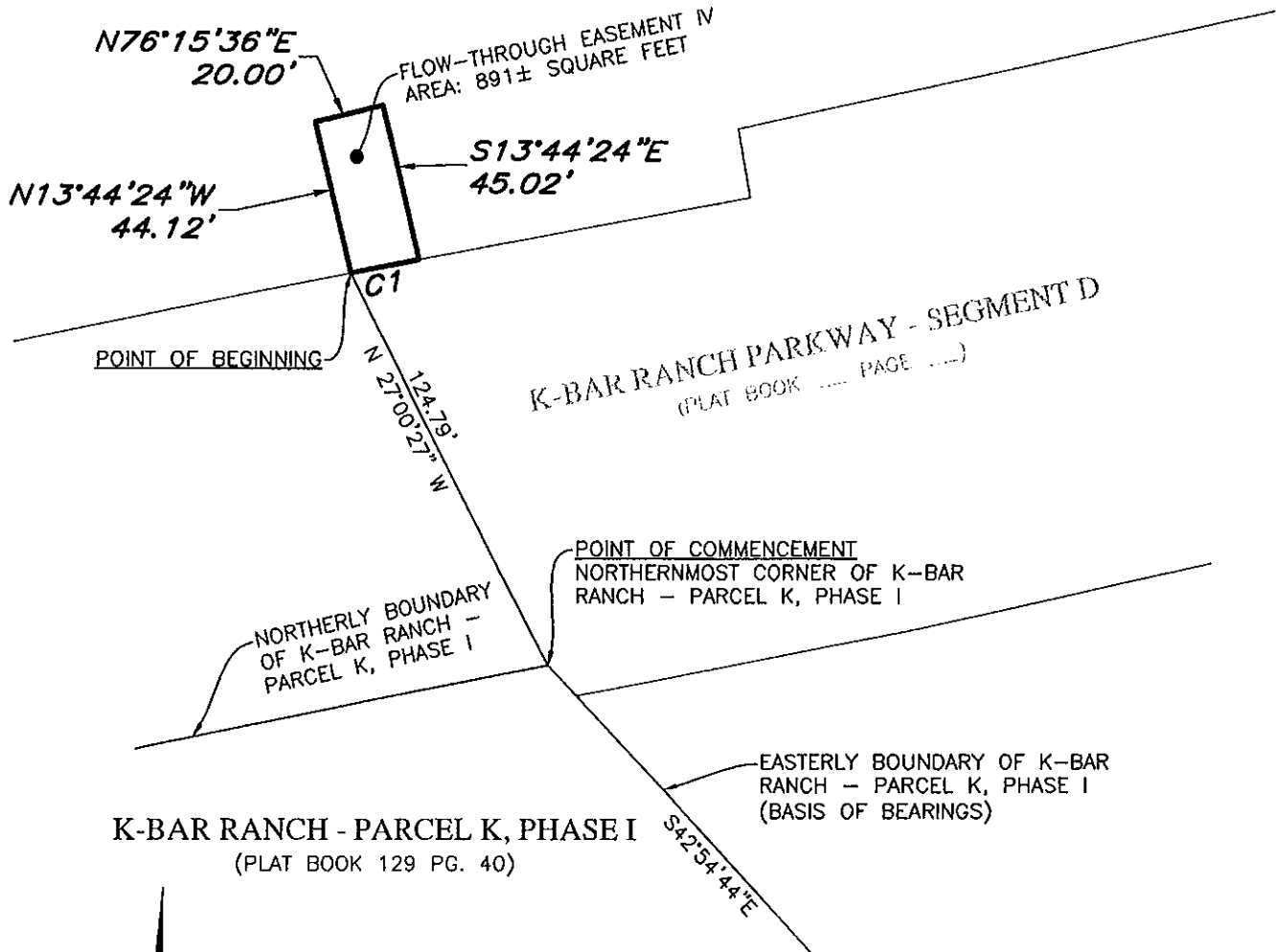
NOTES:

- 1) BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE EASTERLY BOUNDARY OF K-BAR RANCH - PARCEL K, PHASE I, HAVING A BEARING OF S.42°54'44"E, PER PLAT.
- 2) SEE SHEET 2 FOR SKETCH AND LINE AND CURVE TABLE.

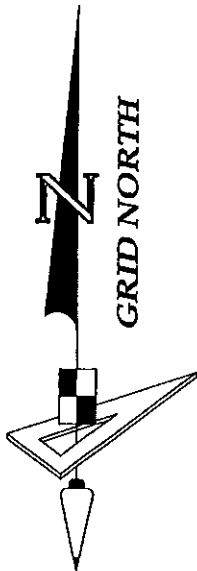
PROJECT: K-BAR RANCH			Prepared For: M/I HOMES		
PHASE: PARCEL Q - PHASE 2					
DRAWN: JRG	DATE: 2/8/18	CHECKED BY: ASH			
REVISIONS			1403 E. 5th Avenue Tampa, Florida 33605 Phone: (813) 248-8888 Licensed Business No.: LB 7768 		
DATE	DESCRIPTION	DRAWN BY			
Matthew C. Kneeland FLORIDA PROFESSIONAL SURVEYOR & MAPPER No. LS7092			GeoPoint Surveying, Inc.		
FILE PATH: P:\K-BAR RANCH\DESCRIPTION\PARCEL-K-FLOW-THROUGH-EASEMENT-4-DS.DWG					LAST SAVED BY: JGEIER
					1 of 2

Description Sketch

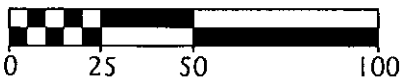
(Not A Survey)



K-BAR RANCH - PARCEL K, PHASE I
(PLAT BOOK 129 PG. 40)



SCALE 1" = 50'



CURVE DATA TABLE

NO.	RADIUS	DELTA	ARC	CHORD	BEARING
C1	7060.15'	0°09'45"	20.02'	20.02'	S 78°51'12" W

SEE SHEET 1 FOR DESCRIPTION.

1403 E. 5th Avenue
Tampa, Florida 33605
Phone: (813) 248-8888
Licensed Business No.: LB 7768



GeoPoint
Surveying, Inc.